



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/917,628	07/31/2001	Chien Teh Huang	MR1957-572	1548

4586 7590 06/22/2007
ROSENBERG, KLEIN & LEE
3458 ELLICOTT CENTER DRIVE-SUITE 101
ELLICOTT CITY, MD 21043

EXAMINER

WUJCIAK, ALFRED J

ART UNIT	PAPER NUMBER
----------	--------------

3632

MAIL DATE	DELIVERY MODE
-----------	---------------

06/22/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

09/917,628

Applicant(s)

HUANG, CHIEN TEH

Examiner

Alfred Joseph Wujciak III

Art Unit

3632

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 06 February 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1 and 5-8 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1 and 5-8 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 31 July 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- ☐ Notice of Informal Patent Application
- ☐ Other: _____

Art Unit: 3632

This is the first Office Action for the serial number 09/917,628, RETAINING AND FIXING STRUCTURE OF RAISED FLOOR HOLDER, filed on 7/31/01.

The office actions mailed on 4/11/07 and 5/15/07 have been vacant and the time period of reply will reset after mailing this new office action.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1 and 5-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent # 3,830,468 to Whitchurch et al. in view of US Patent # 4,583,712 to Wilks and in further view of US Patent # 4,987,976 to Daugherty.

Whitchurch et al. teaches a holder comprising a holder body (32) having a screw hole (50) thereon and a pipe cover (43) disposed at top of the holder body. The pipe cover has a large diameter portion and a small diameter portion situated below the large-diameter portion. The pipe cover includes a retaining groove (located where screw (52) is secured therein) being angularly disposed on the small diameter portion. The small diameter portion is being matched inside the top of the holder body. The holder includes a fixing stud (52) screwed into the screw hole of the holder body. The stud having a first end being matched into the retaining groove of the pipe cover and a second end joined to a circular turn knob. The pipe cover has an assembly

Art Unit: 3632

hole (44) thereon. The holder includes a top plate (48) being disposed above the holder body. The holder further includes a rod body (46) being fixedly disposed at a bottom of the top plate and being matched into the assembly hole. The assembly hole is a screw hole. The rod body is a screw rod.

Whitchurch et al. teaches the large diameter portion but fails to teach the large diameter having polygonal/hexagonal outer contour. Wilks teaches the large diameter (36) having polygonal/hexagonal outer contour (located on top of element 36). It would have been obvious for one of ordinary skill in the art at the time the invention was made to have added polygonal/hexagonal outer contour to Whitchurch et al.'s large diameter portion as taught by Wilks to provide convenience for tightening the large diameter portion using wrench.

Whitchurch et al. teaches the circular turn knob but fails to teach the circular turn knob having a knurled perimeter edge. Daugherty teaches the circular turn knob (106) having a knurled perimeter edge. It would have been obvious for one of ordinary skill in the art at the time the invention was made to have replaced Whitchurch et al.'s circular turn knob with knurled perimeter edge as taught by Daugherty to provide convenience for tightening the screw without the need of tool.

Whitchurch et al. teaches the rod body and fixing stud but fails to teach the rod body and fixing stud having screw nut screwed thereon. Wilks teaches the threaded object (40) having screw nut (58) screwed thereon. It would have been obvious for one of ordinary skill in the art at the time the invention was made to have added screw nut to Whitchurch et al.'s rod body and fixing stud as taught by Wilks to prevent the top plate from contacting the pipe cover and fixing stud from contacting the holder body which can damage cover and body.

Response to Arguments

Applicant's arguments with respect to claims 1 and 5-8 have been considered but are moot in view of the new ground(s) of rejection.

With respect to applicant's argument on page 7 stating that Holzbach fails to "overcome this deficiency". The examiner replaced Holzbach with Wilks's reference wherein he teaches nut screwed on threaded object.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alfred Joseph Wujciak III whose telephone number is (571) 272-6827. The examiner can normally be reached on 8am-4:30pm.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Carl Friedman can be reached on (571) 272-6842. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 3632

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Alfred Joseph Wujciak III
Primary Examiner
Art Unit 3632

6/18/07



A. JOSEPH WUJCIAK III
PRIMARY EXAMINER
TECHNOLOGY CENTER